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**Return of Private Foundation  
or Section 4947(a)(1) Nonexempt Charitable Trust  
Treated as a Private Foundation****2012**

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements

**For calendar year 2012, or tax year beginning , 2012, and ending**VIOLA FOUNDATION, THE  
% BERNATH & ROSENBERG, P.C.  
1430 BROADWAY # 702  
NEW YORK, NY 10018**G** Check all that apply ☐ Initial return ☐ Initial return of a former public charity  
☐ Final return ☐ Amended return  
☐ Address change ☐ Name change**H** Check type of organization ☒ Section 501(c)(3) exempt private foundation  
☐ Section 4947(a)(1) nonexempt charitable trust ☐ Other taxable private foundation**I** Fair market value of all assets at end of year (from Part II, column (c), line 16)  
\$ 81,451.  
**J** Accounting method: ☒ Cash ☐ Accrual  
☐ Other (specify) (Part I, column (d) must be on cash basis)**A** Employer identification number  
13-3915359  
**B** Telephone number (see the instructions)  
**C** If exemption application is pending, check here ☐  
**D** 1 Foreign organizations, check here ☐  
2 Foreign organizations meeting the 85% test, check here and attach computation ☐  
**E** If private foundation status was terminated under section 507(b)(1)(A), check here ☐  
**F** If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

<b>Part I Analysis of Revenue and Expenses</b> (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a) (see instructions).)		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)
<b>REVENUE</b>	1 Contributions, gifts, grants, etc. received (att sch)	195,150.			
	2 Ck <input type="checkbox"/> if the foundn is not req to att Sch B				
	3 Interest on savings and temporary cash investments	114.	114.	114.	
	4 Dividends and interest from securities				
	5a Gross rents				
	b Net rental income or (loss)				
	6a Net gain/(loss) from sale of assets not on line 10				
	b Gross sales price for all assets on line 6a				
	7 Capital gain net income (from Part IV, line 2)				
	8 Net short-term capital gain				
	9 Income modifications				
	10a Gross sales less returns and allowances				
b Less Cost of goods sold					
c Gross profit/(loss) (att sch)					
11 Other income (attach schedule)					
12 Total. Add lines 1 through 11	195,264.	114.	114.		
<b>ADMINISTRATIVE AND OPERATING EXPENSES</b>	13 Compensation of officers, directors, trustees, etc	0.			
	14 Other employee salaries and wages				
	15 Pension plans, employee benefits				
	16a Legal fees (attach schedule)				
	b Accounting fees (attach sch)				
	c Other prof fees (attach sch)				
	17 Interest				
	18 Taxes (attach schedule)(see instrs)				
	19 Depreciation (attach sch) and depletion				
	20 Occupancy				
	21 Travel, conferences, and meetings				
	22 Printing and publications				
23 Other expenses (attach schedule)	209.	157.		52.	
24 Total operating and administrative expenses. Add lines 13 through 23	209.	157.		52.	
25 Contributions, gifts, grants paid PART XV	220,638.			220,638.	
26 Total expenses and disbursements. Add lines 24 and 25	220,847.	157.	0.	220,690.	
27 Subtract line 26 from line 12:					
a Excess of revenue over expenses and disbursements	-25,583.				
b Net investment income (if negative, enter -0-)		0.			
c Adjusted net income (if negative, enter -0-)			114.		

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only (See instructions)		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value		
ASSETS	1	Cash — non-interest-bearing		89,985.	62,896.	62,896.
	2	Savings and temporary cash investments				
	3	Accounts receivable				
		Less: allowance for doubtful accounts				
	4	Pledges receivable				
		Less: allowance for doubtful accounts				
	5	Grants receivable				
	6	Receivables due from officers, directors, trustees, and other disqualified persons (attach schedule) (see instructions)				
	7	Other notes and loans receivable (attach sch.)				
		Less: allowance for doubtful accounts				
	8	Inventories for sale or use				
	9	Prepaid expenses and deferred charges		6.	6.	
	10a	Investments — U.S. and state government obligations (attach schedule)				
	b	Investments — corporate stock (attach schedule)				
	c	Investments — corporate bonds (attach schedule)				
	11	Investments — land, buildings, and equipment: basis				
	Less: accumulated depreciation (attach schedule)					
12	Investments — mortgage loans					
13	Investments — other (attach schedule)		17,049.	18,549.	18,549.	
14	Land, buildings, and equipment: basis					
	Less: accumulated depreciation (attach schedule)					
15	Other assets (describe )					
16	<b>Total assets</b> (to be completed by all filers — see the instructions. Also, see page 1, item I)		107,034.	81,451.	81,451.	
LIABILITIES	17	Accounts payable and accrued expenses				
	18	Grants payable				
	19	Deferred revenue				
	20	Loans from officers, directors, trustees, & other disqualified persons				
	21	Mortgages and other notes payable (attach schedule)				
	22	Other liabilities (describe )				
	23	<b>Total liabilities</b> (add lines 17 through 22)		0.	0.	
NET ASSETS OR FUND BALANCES	Foundations that follow SFAS 117, check here and complete lines 24 through 26 and lines 30 and 31.		<input checked="" type="checkbox"/>			
	24	Unrestricted		107,034.	81,451.	
	25	Temporarily restricted				
	26	Permanently restricted				
	Foundations that do not follow SFAS 117, check here and complete lines 27 through 31.		<input type="checkbox"/>			
	27	Capital stock, trust principal, or current funds				
	28	Paid-in or capital surplus, or land, building, and equipment fund				
	29	Retained earnings, accumulated income, endowment, or other funds				
	30	<b>Total net assets or fund balances</b> (see instructions)		107,034.	81,451.	
	31	<b>Total liabilities and net assets/fund balances</b> (see instructions)		107,034.	81,451.	

## Part III Analysis of Changes in Net Assets or Fund Balances

1	Total net assets or fund balances at beginning of year — Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	107,034.
2	Enter amount from Part I, line 27a	2	-25,583.
3	Other increases not included in line 2 (itemize)	3	
4	Add lines 1, 2, and 3	4	81,451.
5	Decreases not included in line 2 (itemize)	5	
6	Total net assets or fund balances at end of year (line 4 minus line 5) — Part II, column (b), line 30	6	81,451.

**Part IV Capital Gains and Losses for Tax on Investment Income**

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse, or common stock, 200 shares MLC Company)		(b) How acquired P — Purchase D — Donation	(c) Date acquired (month, day, year)	(d) Date sold (month, day, year)
1 a N/A				
b				
c				
d				
e				

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(l) Gains (Column (h) gain minus column (k), but not less than -0-) or Losses (from column (h))
(i) Fair Market Value as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of column (i) over column (j), if any	
a			
b			
c			
d			
e			

2 Capital gain net income or (net capital loss)

☐ If gain, also enter in Part I, line 7  
☐ If (loss), enter -0- in Part I, line 7

2

3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6).

☐ If gain, also enter in Part I, line 8, column (c) (see instructions) If (loss), enter -0-  
☐ in Part I, line 8

3

**Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income**

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank.

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes☒ No

If 'Yes,' the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year, see the instructions before making any entries

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (column (b) divided by column (c))
2011	170,719.	102,789.	1.660868
2010	209,876.	105,029.	1.998267
2009	154,136.	126,620.	1.217312
2008	171,802.	152,897.	1.123645
2007	169,844.	114,709.	1.480651

2 Total of line 1, column (d)

2

7.480743

3 Average distribution ratio for the 5-year base period — divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years

3

1.496149

4 Enter the net value of noncharitable-use assets for 2012 from Part X, line 5

4

93,565.

5 Multiply line 4 by line 3

5

139,987.

6 Enter 1% of net investment income (1% of Part I, line 27b)

6

7 Add lines 5 and 6

7

139,987.

8 Enter qualifying distributions from Part XII, line 4

8

220,690.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions.

**Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 – see instructions)**

<b>1 a</b> Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter 'N/A' on line 1. Date of ruling or determination letter _____ (attach copy of letter if necessary – see instrs)			
<b>b</b> Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input checked="" type="checkbox"/> and enter 1% of Part I, line 27b		1	0.
<b>c</b> All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, column (b)			
<b>2</b> Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only Others enter -0-)		2	0.
<b>3</b> Add lines 1 and 2		3	0.
<b>4</b> Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	0.
<b>5 Tax based on investment income.</b> Subtract line 4 from line 3. If zero or less, enter -0-		5	0.
<b>6 Credits/Payments</b>			
<b>a</b> 2012 estimated tax pmts and 2011 overpayment credited to 2012	<b>6 a</b>		
<b>b</b> Exempt foreign organizations – tax withheld at source	<b>6 b</b>		
<b>c</b> Tax paid with application for extension of time to file (Form 8868)	<b>6 c</b>		
<b>d</b> Backup withholding erroneously withheld	<b>6 d</b>	6.	
<b>7</b> Total credits and payments. Add lines 6a through 6d	7		6.
<b>8</b> Enter any <b>penalty</b> for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached	8		
<b>9 Tax due.</b> If the total of lines 5 and 8 is more than line 7, enter amount owed	9		0.
<b>10 Overpayment.</b> If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10		6.
<b>11</b> Enter the amount of line 10 to be: Credited to 2013 estimated tax <u>0.</u> Refunded	11		6.

**Part VII-A Statements Regarding Activities**

	Yes	No
<b>1 a</b> During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
<b>b</b> Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see the instructions for definition)? <i>If the answer is 'Yes' to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities</i>		X
<b>c</b> Did the foundation file <b>Form 1120-POL</b> for this year?		X
<b>d</b> Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation <u>\$ 0.</u> (2) On foundation managers <u>\$ 0.</u>		
<b>e</b> Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers <u>\$ 0.</u>		
<b>2</b> Has the foundation engaged in any activities that have not previously been reported to the IRS? <i>If 'Yes,' attach a detailed description of the activities</i>		X
<b>3</b> Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? <i>If 'Yes,' attach a conformed copy of the changes</i>		X
<b>4 a</b> Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
<b>b</b> If 'Yes,' has it filed a tax return on <b>Form 990-T</b> for this year?		N/A
<b>5</b> Was there a liquidation, termination, dissolution, or substantial contraction during the year? <i>If 'Yes,' attach the statement required by General Instruction T.</i>		X
<b>6</b> Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?		
<b>7</b> Did the foundation have at least \$5,000 in assets at any time during the year? <i>If 'Yes,' complete Part II, column (c), and Part XV</i>	X	
<b>8 a</b> Enter the states to which the foundation reports or with which it is registered (see instructions) NY		
<b>b</b> If the answer is 'Yes' to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by <i>General Instruction G</i> ? <i>If 'No,' attach explanation</i>	X	
<b>9</b> Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2012 or the taxable year beginning in 2012 (see instructions for Part XIV)? <i>If 'Yes,' complete Part XIV</i>		X
<b>10</b> Did any persons become substantial contributors during the tax year? <i>If 'Yes,' attach a schedule listing their names and addresses</i>		X

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**Part VII-A Statements Regarding Activities (continued)**

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If 'Yes', attach schedule (see instructions)	11		X
12	Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If 'Yes,' attach statement (see instructions)	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address <u>N/A</u>	13	X	
14	The books are in care of <u>JAMES H. BERNATH</u> Telephone no <u>(212) 221-1140</u> Located at <u>1430 BROADWAY NEW YORK NY</u> ZIP + 4 <u>10018</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here <u>N/A</u> and enter the amount of tax-exempt interest received or accrued during the year <u>15</u> <u>N/A</u>			
16	At any time during calendar year 2012, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country? See the instructions for exceptions and filing requirements for Form TD F 90-22.1. If 'Yes,' enter the name of the foreign country <u></u>	16		X

**Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required**

File Form 4720 if any item is checked in the 'Yes' column, unless an exception applies.

	Yes	No
1 a During the year did the foundation (either directly or indirectly):		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(6) Agree to pay money or property to a government official? (Exception. Check 'No' if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If any answer is 'Yes' to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see instructions)? Organizations relying on a current notice regarding disaster assistance check here <u></u>	1 b	N/A
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2012?	1 c	X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5))		
a At the end of tax year 2012, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2012? If 'Yes,' list the years <u>20__ , 20__ , 20__ , 20__</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b Are there any years listed in 2a for which the foundation is <b>not</b> applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer 'No' and attach statement - see instructions)	2 b	N/A
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. <u>20__ , 20__ , 20__ , 20__</u>		
3 a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If 'Yes,' did it have excess business holdings in 2012 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969, (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2012.)	3 b	N/A
4 a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4 a	X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2012?	4 b	X

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**Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required** (continued)**5 a** During the year did the foundation pay or incur any amount to

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))?

☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955), or to carry on, directly or indirectly, any voter registration drive?

☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes?

☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? (see instructions)

☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals?

☐ Yes ☒ No**b** If any answer is 'Yes' to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?**5 b**

N/A

Organizations relying on a current notice regarding disaster assistance check here

☐**c** If the answer is 'Yes' to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?N/A ☐ Yes ☐ No

If 'Yes,' attach the statement required by Regulations section 53.4945-5(d)

**6 a** Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?☐ Yes ☒ No**b** Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?**6 b**

X

If 'Yes' to 6b, file Form 8870

**7 a** At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?☐ Yes ☒ No**b** If 'Yes,' did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

**7 b****Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors****1** List all officers, directors, trustees, foundation managers and their compensation (see instructions).

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
JAMES H. BERNATH 2 VALENCIA DRIVE MONSEY, NY 10952	TRUSTEE 10.00	0.	0.	0.
SUSI BERNATH 2 VALENCIA DRIVE MONSEY, NY 10952	TRUSTEE 1.00	0.	0.	0.

**2** Compensation of five highest-paid employees (other than those included on line 1 — see instructions). If none, enter 'NONE.'

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over \$50,000

0

3 Five highest-paid independent contractors for professional services (see instructions). If none, enter 'NONE.'

**Part IX-A Summary of Direct Charitable Activities**

Expenses

**Part IX-B Summary of Program-Related Investments** (see instructions)

Amount

**Total.** Add lines 1 through 3

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**Part X** Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes.	
a	Average monthly fair market value of securities	1 a
b	Average of monthly cash balances	1 b
c	Fair market value of all other assets (see instructions)	1 c
d	Total (add lines 1 a, b, and c)	1 d
e	Reduction claimed for blockage or other factors reported on lines 1 a and 1 c (attach detailed explanation)	1 e
2	Acquisition indebtedness applicable to line 1 assets	2
3	Subtract line 2 from line 1 d	3
4	Cash deemed held for charitable activities. Enter 1-1/2% of line 3 (for greater amount, see instructions)	4
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5
6	Minimum investment return. Enter 5% of line 5	6

**Part XIII** Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6	1
2 a	Tax on investment income for 2012 from Part VI, line 5	2 a
b	Income tax for 2012 (This does not include the tax from Part VI)	2 b
c	Add lines 2 a and 2 b	2 c
3	Distributable amount before adjustments. Subtract line 2 c from line 1	3
4	Recoveries of amounts treated as qualifying distributions	4
5	Add lines 3 and 4	5
6	Deduction from distributable amount (see instructions)	6
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7

**Part XIII** Qualifying Distributions (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes	
a	Expenses, contributions, gifts, etc. — total from Part I, column (d), line 26	1 a
b	Program-related investments — total from Part IX-B	1 b
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2
3	Amounts set aside for specific charitable projects that satisfy the	
a	Suitability test (prior IRS approval required)	3 a
b	Cash distribution test (attach the required schedule)	3 b
4	Qualifying distributions. Add lines 1 a through 3 b. Enter here and on Part V, line 8, and Part XIII, line 4	4
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b (see instructions)	5
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6

**Note.** The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

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**Part XIII** Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2011	(c) 2011	(d) 2012
1 Distributable amount for 2012 from Part XI, line 7				4,678.
2 Undistributed income, if any, as of the end of 2012.				
a Enter amount for 2011 only			0.	
b Total for prior years: 20____, 20____, 20____		0.		
3 Excess distributions carryover, if any, to 2012				
a From 2007	164,475.			
b From 2008	164,712.			
c From 2009	147,809.			
d From 2010	204,625.			
e From 2011	165,582.			
f Total of lines 3a through e.	847,203.			
4 Qualifying distributions for 2012 from Part XII, line 4 ▶ \$ 220,690.				
a Applied to 2011, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required — see instructions)		0.		
c Treated as distributions out of corpus (Election required — see instructions)	0.			
d Applied to 2012 distributable amount				4,678.
e Remaining amount distributed out of corpus	216,012.			
5 Excess distributions carryover applied to 2012 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	1,063,215.			
b Prior years' undistributed income Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b Taxable amount — see instructions.		0.		
e Undistributed income for 2011. Subtract line 4a from line 2a. Taxable amount — see instructions.			0.	
f Undistributed income for 2012 Subtract lines 4d and 5 from line 1 This amount must be distributed in 2013				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (see instructions)	0.			
8 Excess distributions carryover from 2007 not applied on line 5 or line 7 (see instructions)	164,475.			
9 Excess distributions carryover to 2013. Subtract lines 7 and 8 from line 6a	898,740.			
10 Analysis of line 9.				
a Excess from 2008	164,712.			
b Excess from 2009	147,809.			
c Excess from 2010	204,625.			
d Excess from 2011	165,582.			
e Excess from 2012	216,012.			

N/A

**b** Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

**(4) Gross investment income**

[illegible]

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors

**Part XV** Supplementary Information (continued)**3 Grants and Contributions Paid During the Year or Approved for Future Payment**

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
<b>a</b> Paid during the year SEE ATTACHED SCHEDULE	N/A	PUBLIC	CHARITABLE	220,638.
<b>Total</b>				<b>3 a</b> 220,638.
<b>b</b> Approved for future payment				
<b>Total</b>				<b>3 b</b>

## Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.

Enter gross amounts unless otherwise indicated.		Unrelated business income		Excluded by section 512, 513, or 514		(e) Related or exempt function income (See instructions )
		(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount	
1	Program service revenue:					
a						
b						
c						
d						
e						
f						
g	Fees and contracts from government agencies					
2	Membership dues and assessments					
3	Interest on savings and temporary cash investments			14	114.	
4	Dividends and interest from securities					
5	Net rental income or (loss) from real estate					
a	Debt-financed property					
b	Not debt-financed property					
6	Net rental income or (loss) from personal property					
7	Other investment income					
8	Gain or (loss) from sales of assets other than inventory					
9	Net income or (loss) from special events					
10	Gross profit or (loss) from sales of inventory					
11	Other revenue:					
a						
b						
c						
d						
e						
12	Subtotal. Add columns (b), (d), and (e)				114.	
13	<b>Total.</b> Add line 12, columns (b), (d), and (e)				13	114.

(See worksheet in line 13 instructions to verify calculations )

**Part XVI-B Relationship of Activities to the Accomplishment of Exempt Purposes**

[illegible]



**Schedule B**  
**(Form 990, 990-EZ,**  
**or 990-PF)**

Department of the Treasury  
Internal Revenue Service

**Schedule of Contributors**

► **Attach to Form 990, Form 990-EZ, or Form 990-PF**

OMB No 1545-0047

**2012**

Name of the organization **VIOLA FOUNDATION, THE**  
**% BERNATH & ROSENBERG, P.C.**

Employer identification number  
**13-3915359**

**Organization type** (check one)

**Filers of:**

Form 990 or 990-EZ

**Section:**

- ☐ 501(c)( ) (enter number) organization  
☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation  
☐ 527 political organization

Form 990-PF

- ☒ 501(c)(3) exempt private foundation  
☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation  
☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**

**Note.** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

**General Rule**

- ☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, \$5,000 or more (in money or property) from any one contributor. (Complete Parts I and II.)

**Special Rules**

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33-1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi) and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, total contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not total to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year ► \$ \_\_\_\_\_

**Caution:** An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF) but it **must** answer 'No' on Part IV, line 2, of its Form 990, or check the box on line H of its Form 990-EZ or on Part I, line 2, of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

**BAA For Paperwork Reduction Act Notice, see the Instructions for Form 990, 990-EZ,**

**Schedule B (Form 990, 990-EZ, or 990-PF) (2012)**

Name of organization

Employer identification number

VIOLA FOUNDATION, THE

13-3915359

**Part I Contributors** (see instructions) Use duplicate copies of Part I if additional space is needed

(a) Number	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
1	JAMES H. BERNATH 2 VALENCIA DRIVE MONSEY, NY 10952	\$ 195,000.	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)
		\$	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution)



Name of organization

Employer identification number

VIOLA FOUNDATION, THE

13-3915359

**Part II Noncash Property** (see instructions) Use duplicate copies of Part II if additional space is needed

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (see instructions)	(d) Date received
	N/A		
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	

BAA

Employer identification number

13-3915359

**organizations that total more than \$1,000 for the year.** Complete columns (a) through (e) and the following line entry

► \$                      N/A

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held
	N/A		
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee
	(e) Transfer of gift		
	Transferee's name, address, and ZIP + 4		Relationship of transferor to transferee

2012

## FEDERAL STATEMENTS

PAGE 1

VIOLA FOUNDATION, THE  
% BERNATH & ROSENBERG, P.C.

13-3915359

STATEMENT 1  
FORM 990-PF, PART I, LINE 23  
OTHER EXPENSES

	(A) EXPENSES PER BOOKS	(B) NET INVESTMENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
BANK FEES	\$ 157.	\$ 157.		
FILING FEES	52.			\$ 52.
TOTAL	<u>\$ 209.</u>	<u>\$ 157.</u>	<u>\$ 0.</u>	<u>\$ 52.</u>

# THE VIOLA FOUNDATION CONTRIBUTIONS PAID January through December 2012

Jan - Dec 12	
Achiezer	-500.00
Agudath Israel of America	-100.00
Agudath Israel of America Foundation	-1,500.00
Ahavas Yisroel	-100.00
Amer. Fr of Beer Chaim Yitzchok	-300.00
Amer. Fr of Halichot Shlomo	-400.00
Amer. Fr of Netivot Haroah	-100.00
Amer. Fr of Yeshiva Bals Eliahu	-500.00
Amer. Fr of Yeshiva for Kodshim	-5,000.00
Amer. Fr of Yeshiva T"Torah Kiryt Malachi	-180.00
Amer. Fr of Yeshivat Harel Yehudah	-100.00
Bals Medrash L'Torah	-100.00
Bals Tova	-200.00
Bals Yaakov of Spring Valley	-180.00
Bals Yosef Tzvi	-1,800.00
Baitcher Yeshiva	-150.00
Belz Institutions in Israel	-500.00
Belzer Shitbel	-180.00
Bensalem Outreach Center	-1,500.00
Beth Medrosh Eiyon	-4,000.00
Beth Medrosh Govoha	-4,160.00
Beth Medrosh of Monsey	-500.00
Beth Shifra Miriam	-200.00
Blala Yeshiva	-180.00
Blinyan Torah	-250.00
Bircas Yechezkel	-250.00
Chabad House of Bufallo	-360.00
Chasdel Ellezer	-100.00
Cong. ABZA D'Mada	-1,000.00
Cong. Ahavas Chesed	-13,800.00
Cong. Ahavas Torah	-500.00
Cong. Amellei Torah	-2,000.00
Cong. Bals Avrohom Yeshaya	-180.00
Cong. Bals Yehuda	-100.00
Cong. Beth Medrash Govoha	-1,000.00
Cong. Beth Rama Khal Lister	-100.00
Cong. Beth Tefillo	-50.00
Cong. Bnei Aharon	-100.00
Cong. Bnei Yechiel	-100.00
Cong. Columbus Ave.	-50.00
Cong. Imrei Yehuda	-250.00
Cong. Kahal Derech Emes	-120.00
Cong. Kehillas Yaakov	-100.00
Cong. Mesivta Tat	-18.00
Cong. Mikdash Dovid	-180.00
Cong. Mikva Toba of Lakewood	-5,000.00
Cong. Mishkonols Lavir Yaakov	-180.00
Cong. Nachlas Chaim	-180.00

# THE VIOLA FOUNDATION CONTRIBUTIONS PAID January through December 2012

Jan - Dec 12

Cong. Nachlas Moshe	-100 00
Cong. Ner Yisroel	-100 00
Cong. Ohavel Torah	-100 00
Cong. Ohr Chodosh	-180 00
Cong. Ohr Yisroel	-500 00
Cong. Osher B'Chaim	-1,000 00
Cong. Rachmistrivke	-250 00
Cong. Revach V'Hatzola	-100 00
Cong. Sdel Yaakov Square	-360 00
Cong. Shaarei Tefila	-5,520 00
Cong. Tiferes Yisroel	-50 00
Cong. Zemach David	-200 00
Cong. Zichron Be'er	-100 00
Cong. Zos L'Yehuda	-100 00
Dos Yiddishe Vort	-225 00
Edible Leftovers	-100 00
Emes V'Emunah	-200 00
Ezras Yisroel	-100 00
Ezras Yisroel Fund	-500 00
Friends of Hamaayan Inc	-100 00
Fund For American Emigre	-250 00
Immigrant Aid Fund	-50 00
JEP of Rockland	-100 00
Jewish Renaissance Center	-100 00
Kahal Mekor Chaim	-14,925 00
Keren Avreichim	-100 00
Keren Chaim	-36 00
KMKY of Beth Tefillo	-100 00
Knesset Mordechai	-100 00
Kollei America	-100 00
Kollei Beer Mordechai	-6,800 00
Kollei Balz	-360 00
Kollei Lomdel Shas	-180 00
Kollei Ohr Yehuda	-250 00
Kollei Shomrei Hachomos	-250 00
Kollei Zichron Shneur	-12,750 00
Kollei Zichron Shneur - Wesley	-1,000 00
Kupath Ezra	-1,750 00
Mechon L'Hoyroa	-15,000 00
Mesivta Bals Yochanan Shruga	-360 00
Mesivta Bevet Chazon Ish	-550 00
Mesivta of Eatontown	-180 00
Mesivta Ohel Torah	-1,000 00
Mesorah Heritage Foundation	-10 00
Miami Beach Community Kollel	-530 00
Mikvah of Rockland County	-100 00
Mishmeres Hashalom	-500 00
Mosdos Chernobel Inc	-500 00

# THE VIOLA FOUNDATION CONTRIBUTIONS PAID January through December 2012

	Jan - Dec 12
Nachlas Bnei Shimon	-36 00
NASCK	-100 00
Oros Bals Yaakov	-125 00
P'eylim Lev L'Achim	-250 00
Rabbinical Seminary of America	-100 00
Rav Chesed	-4,100 00
Rofeh Cholim Cancer Society	-360 00
Samcheinu	-305 00
Shinev Cong.	-550 00
Shiras Devorah	-4,800 00
Shuvu - Return	-5,500 00
Smach Zevulun of NY	-360 00
Tal Torah	-100 00
Talmud Torah Habeln Yakir	-100 00
Talmudical Yeshiva of Philadelphia	-5,000 00
TCF	-100 00
The OJC Fund	-50,000 00
The Yenuham Center for Torah Education	-250 00
Tiferes Achim	-18 00
Tiferes Bachurim	-120 00
Tomche Shabbos of Rockland County	-200 00
Torah Communal Fund	-1,000 00
Torah Umesorah	-180 00
Toras Olam	-180 00
Tov Lakol	-100 00
Tower 41 Chevre Shas	-18 00
Tzedakah V'Chesed Foundation	-100 00
Tzidkas Yosef Naftoli	-50 00
UTA	-500 00
Yad Eliezer	-100 00
Yeshiva & Kollel Harbotzas Torah	-100 00
Yeshiva Avir Yaakov	-250 00
Yeshiva Bals Binyomin	-100 00
Yeshiva Bals Mayer	-100 00
Yeshiva Bals Mikroh	-200 00
Yeshiva Beth David	-360 00
Yeshiva Birkas Reuven	-25 00
Yeshiva Chendath HaTorah	-400 00
Yeshiva D'Nitza	-100 00
Yeshiva Dvar Torah	-150 00
Yeshiva Gedola Kesser Torah	-400 00
Yeshiva Gedola of Midwood	-500 00
Yeshiva Gedola of Passaic	-100 00
Yeshiva Gedola Ohr Hatorah	-250 00
Yeshiva Gedola Ohr Yisroel	-180 00
Yeshiva Heichal Hatalmud	-100 00
Yeshiva K'tana of Lakewood	-360 00
Yeshiva Machzikei Hadas	-36 00

# THE VIOLA FOUNDATION CONTRIBUTIONS PAID

January through December 2012

	Jan - Dec 12
Yeshiva Meor Yitzchok	-360 00
Yeshiva of Spring Valley	-100 00
Yeshiva of Waterbury	-180 00
Yeshiva Ohr Elchonon	-2,000 00
Yeshiva Ohr Hataimud	-186 00
Yeshiva Ohr Hatorah	-180 00
Yeshiva Ohr Simcha of Englewood	-500 00
Yeshiva Ohr Torah	-180 00
Yeshiva Ohr V'Daas	-1,000 00
Yeshiva Ohr Yisroel	-250 00
Yeshiva Orchos Chaim	-6,000 00
Yeshiva Samson Raphael Hirsch	-300 00
Yeshiva Shaarei Yosher	-250 00
Yeshiva Tiferes Naftoli	-100 00
Yeshiva Tiferes Zion	-500 00
Yeshiva Zichron Mayer	-500 00
Yeshiva Zichron Mellech	-125 00
Yeshivas Mir Yerushalayim	-2,500 00
Yeshivas Novominsk	-7,000 00
Zichron Menachem Inc.	-2,000 00
Zichron Yisroel Fund	-100 00
<b>TOTAL</b>	<b>-220,638.00</b>